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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,549	09/10/2003	Koji Oka	242401US2	3246
22850 7590 01/30/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER LAM, HUNG H	
			ART UNIT 2622	PAPER NUMBER
			NOTIFICATION DATE 01/30/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/658,549

Applicant(s)

OKA ET AL.

Examiner

Hung H. Lam

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 3-5 and 9-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Election/Restrictions

2. The Examiner agrees with the proposed grouping of species by the Applicants representative filed on 11/12/07. Therefore, claims 3-5 and 9-15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 11/12/07.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knowles (US-7,173,651) in view of Trisno (US-2006/0,265,482).

With regarding **claim 1**, Knowles discloses a digital camera comprising:

a device for storing image data (Fig. 2; memory 220; Col. 6, Ln. 54-Col. 7, Ln. 13);

a communication device connected to a local area network to conduct a data communication (Comm 240; Col. 6, Ln. 36-58); and

a control device to control said storing device and said communication device (see Fig. 2; MP 230). Knowles teaches a camera that transmit digital image across a combined wireless and wire network to a host system at a predefined IP address (Col. 2, Ln. 54-60; Col. 4, Ln. 51-Col. 5, Ln. 7; Col. 12, Ln.57-Col. 13, Ln. 62).

However, wherein said control device sends request data with a broad cast to said local area network by said communication device, and when data for responding to said request data are received from an equipment which is connected to said local area network, said control device detects an IP address of the equipment in which said response data are sent, and sends the image data which are stored in said storing device to the equipment which includes the detected IP address.

In the same field of endeavor, Trisno teaches a communication system wherein each node in the network broadcasts its unique ID to other nodes in order to assign network addresses based on the unique ID received (Figs. 2, 4A, 4C and 6A-C; abstract; [0012; 0033-0049]). In light of the teaching from Omi, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Knowles to broadcast the unique ID in order to obtain or assign network IP based on the unique ID received. The modifications improve the versatile of the camera.

With regarding **claim 6**, the claim is a method of the apparatus claim 1. Therefore, claim 6 is analyzed and rejected as previously discussed under claim 1.

With regarding **claim 7**, Knowles discloses a system for sending and receiving image data comprising:

- a digital camera (Fig. 2; Col. 6, Ln. 54-Col. 7, Ln. 13); and
- a terminal equipment, said digital camera including: a device for storing image data (Fig. 2; memory 220; Col. 6, Ln. 54-Col. 7, Ln. 13);
- a communication device connected to a local area network to conduct a data communication (Comm 240; Col. 6, Ln. 36-58); and

Knowles teaches a camera that transmit digital image across a combined wireless and wire network to a host system at a predefined IP address (Col. 2, Ln. 54-60; Col. 4, Ln. 51-Col. 5, Ln. 7; Col. 12, Ln.57-Col. 13, Ln. 62).

However, Knowles fails to explicitly disclose a camera control device to detect an IP address of a destination from request data, which are received through said local area network by said communication device, and to send response data, which include an IP address of own to said IP address of the detected destination, and when data for requiring an image data transmission are received from said destination replied with

respect to the response data, the camera control device sends the image data stored in said storing device to said destination in accordance with said data for requiring the image data transmission,

said terminal equipment including:

a terminal communication device connected to said local area network to conduct a data communication; and

a terminal control device to send said request data with a broad cast to said local area network by the terminal communication device, and to detect the IP address of said digital camera by the response data when said data for responding to said request data are received, and to send the data for requiring the image data transmission to the detected IP address, and to obtain the image data from said digital camera replied in accordance with said data for requiring the image data transmission.

In the same field of endeavor, Trisno teaches a communication system wherein each node in the network broadcasts its unique ID to other nodes in order to assign network addresses based on the unique ID received (Figs. 2, 4A, 4C and 6A-C; abstract; [0012; 0033-0049]). In light of the teaching from Omi, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Knowles to broadcast the unique ID in order to obtain or assign network IP based on the unique ID received. The modifications improve the versatile of the camera.

5. Claims 1-2 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knowles (US-7,173,651) in view of Omi (US-2005/0,220,117).

With regarding **claim 1**, Knowles discloses a digital camera comprising:

a device for storing image data (Fig. 2; memory 220; Col. 6, Ln. 54-Col. 7, Ln. 13);

a communication device connected to a local area network to conduct a data communication (Comm 240; Col. 6, Ln. 36-58); and

a control device to control said storing device and said communication device (see Fig. 2; MP 230). Knowles teaches a camera that transmit digital image across a combined wireless and wire network to a host system at a predefined IP address (Col. 2, Ln. 54-60; Col. 4, Ln. 51-Col. 5, Ln. 7; Col. 12, Ln.57-Col. 13, Ln. 62).

However, wherein said control device sends request data with a broad cast to said local area network by said communication device, and when data for responding to said request data are received from an equipment which is connected to said local area network, said control device detects an IP address of the equipment in which said response data are sent, and sends the image data which are stored in said storing device to the equipment which includes the detected IP address.

In the same field of endeavor, Omi teaches a wireless communication system wherein if a MAC address of an Ethernet interface of a receiving device is not known, a transmitting device has to obtain the MAC address by using an address request protocol (ARP; [0171]). The transmitting device transmits the ARP which includes Mac and IP address of the transmitting device to a broadcast address indicating the addresses of all of the devices. Upon receiving the ARP request packet, each receiving

device gives its own Mac address to the transmitting device by using an ARP reply packet. Thereafter, the transmitting device specifies one receiving device by using a set of obtained Mac and IP address and transmits an IP data packet to the receiving device ([0171]). In light of the teaching from Omi, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Knowles to automatically obtain the Mac and IP address of a receiving device. The modifications thus allow a transmitting device to obtain a Mac and IP address of a receiving device and transmit IP data packet to the receiving device (Omi: [0171]).

With regarding **claim 2**, Knowles in view of Omi discloses a digital camera according to claim 1, further comprising:

a display device to display a list of the IP address detected by said control device or a list of the equipment which includes the IP address (Knowles: Col. 4, Ln. 51-Col. 5, Ln. 7; Col. 12, Ln.57-Col. 13, Ln. 62; Omi: [0171]); and

a selection device to select the IP address or the equipment displayed on said list (Knowles: see Figs 3, 7, 8 and 11; Col. 4, Ln. 51-Col. 5, Ln. 7; Col. 12, Ln.57-Col. 13, Ln. 62), wherein

said control device sends the image data stored in said storing device to the equipment which includes the IP address selected by said selection device or the equipment which is selected by said selection device (Knowles: Col. 2, Ln. 54-60; Col. 4, Ln. 51-Col. 5, Ln. 7; Col. 12, Ln.57-Col. 13, Ln. 62).

With regarding **claim 6**, the claim is a method of the apparatus claim 1. Therefore, claim 6 is analyzed and rejected as previously discussed under claim 1.

With regarding **claim 7**, Knowles discloses a system for sending and receiving image data comprising:

- a digital camera (Fig. 2; Col. 6, Ln. 54-Col. 7, Ln. 13); and
- terminal equipment, said digital camera including: a device for storing image data (Fig. 2; memory 220; Col. 6, Ln. 54-Col. 7, Ln. 13);
- a communication device connected to a local area network to conduct a data communication (Comm 240; Col. 6, Ln. 36-58); and

Knowles teaches a camera that transmit digital image across a combined wireless and wire network to a host system at a predefined IP address (Col. 2, Ln. 54-60; Col. 4, Ln. 51-Col. 5, Ln. 7; Col. 12, Ln.57-Col. 13, Ln. 62).

However, Knowles fails to explicitly disclose a camera control device to detect an IP address of a destination from request data, which are received through said local area network by said communication device, and to send response data, which include an IP address of own to said IP address of the detected destination, and when data for requiring an image data transmission are received from said destination replied with respect to the response data, the camera control device sends the image data stored in said storing device to said destination in accordance with said data for requiring the image data transmission,

said terminal equipment including:

a terminal communication device connected to said local area network to conduct a data communication; and

a terminal control device to send said request data with a broad cast to said local area network by the terminal communication device, and to detect the IP address of said digital camera by the response data when said data for responding to said request data are received, and to send the data for requiring the image data transmission to the detected IP address, and to obtain the image data from said digital camera replied in accordance with said data for requiring the image data transmission.

In the same field of endeavor, Omi teaches a wireless communication system wherein if a MAC address of an Ethernet interface of a receiving device is not known, a transmitting device has to obtain the MAC address by using an address request protocol (ARP; [0171]). The transmitting device transmits the ARP which includes Mac and IP address of the transmitting device to a broadcast address indicating the addresses of all of the devices. Upon receiving the ARP request packet, each receiving device gives its own Mac address to the transmitting device by using an ARP reply packet. Thereafter, the transmitting device specifies one receiving device by using a set of obtained Mac and IP address and transmits an IP data packet to the receiving device ([0171]). In light of the teaching from Omi, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Knowles to automatically obtain the Mac and IP address of a receiving device. The modifications thus allow a transmitting device to obtain a Mac and IP address of a receiving device and transmit IP data packet to the receiving device (Omi: [0171]).

With regarding **claim 8**, Knowles in view of Omi discloses a system for sending and receiving image data according to claim 7, wherein said terminal equipment comprises a display device for a terminal equipment to display a list of the IP address of the digital camera detected by said terminal control device or a list of the digital camera which includes the IP address and a selection device for a terminal equipment to select the IP address or the digital camera displayed on said list (Knowles: Col. 4, Ln. 51-Col. 5, Ln. 7; Col. 12, Ln.57-Col. 13, Ln. 62; Omi: [0171]), and said terminal control device sends said data for requiring the image data transmission to the digital camera which includes the IP address selected by said selection device for the terminal equipment or to the digital camera selected by said selection device for the terminal equipment (Knowles: Col. 12, Ln.57-Col. 13, Ln. 62; Omi: [0171]).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Nakami (US-2003/0,071,903) discloses a camera transmitting image file including global IP address.

b) Wu (US-2003/0,225,824) discloses a scanner having a screen which shows the IP address and port of the server to which a scanned image data is to be transferred.

c) Witt (US-2003/0,046,445) discloses a scanner network based image input for sending image data to the network address of a destination computer.

d) Kato(JP2003-143,518) discloses a camera holding an IP address and sending images to other computer system in the network.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung H. Lam whose telephone number is 571-272-7367. The examiner can normally be reached on Monday - Friday 8AM - 5PM.

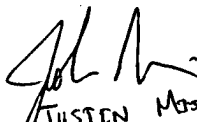
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LIN YE can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/658,549
Art Unit: 2622

Page 12

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HL
01/21/08


JUSTIN MOSLER
Examiner, GAU2622